

Notice of Allowability

Application No.

09/609,303

Examiner

Carl Colin

Applicant(s)

LAPSTUN ET AL.

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed on 4/18/2007.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 4/18/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
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6122107

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an e-mail from Applicant's Representative, Pascale Hair, on June 21, 2007.

The application has been amended as follows:

Amend the following **claims 10, 11, 22, and 23**:

Claim 10 (Currently Amended) ~~The method of claim 11 which includes printing the form on a surface defining means and, at the same time that the form is printed, printing the coded data tags on the surface, wherein at least some of the coded data tags are substantially coincident with the information relating to user registration.~~ The method of claim 9, which includes printing the coded data tags to be at least invisible in the visible spectrum.

Claim 11 (Currently Amended) ~~The method of claim 9, which includes printing the coded data tags to be at least invisible in the visible spectrum.~~ The method of claim 10 which includes printing the form on a surface-defining means and, at the same time that the form is printed,

Art Unit: 2136

printing the coded data tags on the surface, wherein at least some of the coded data tags are substantially coincident with the information relating to user registration.

Claim 22 (Currently Amended) ~~The system of claim 23 in which the information relating to user registration is printed on the form by the printer at the same time as the coded data tags, wherein at least some of the coded data tags are substantially coincident with the information relating to user registration.~~ The system of claim 21, in which the coded data tags are at least invisible in the visible spectrum.

Claim 23 (Currently Amended) ~~The system of claim 21, in which the coded data tags are at least invisible in the visible spectrum.~~ The system of claim 22 in which the information relating to user registration is printed on the form by the printer at the same time as the coded data tags, wherein at least some of the coded data tags are substantially coincident with the information relating to user registration.

Response to Arguments

2. In response to communications filed on 4/8/2007, applicant amends claim 24 to overcome the claim objection, the objection to claim 24 has been withdrawn with respect to the amendment. The double patenting rejection has been withdrawn with respect to the terminal disclaimer filed on 4/18/2007. Claims 1-34 are pending.

Terminal Disclaimer

Art Unit: 2136

3. The terminal disclaimer filed on 4/18/2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,978,019 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 4/18/2007 was filed after the mailing date of the Non-Final Rejection on 2/26/2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject matter

5. Claims 1-34 are allowed.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

Art Unit: 2136

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


cc

Carl Colin

Patent Examiner

June 21, 2007

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6/22/07